

### **Remarks/Arguments**

Claims 4-5, 22, 39, 41-49 have been amended. Claims 1, 40, 50 and 51 have been cancelled without prejudice. Claims 52-68 have been added. Enclosed herewith is our check in the amount of \$1200.00 in payment of the fee for the added claims. Please charge any other claims or additional fees for entry of this Amendment to our Deposit Account No. 03-3415.

The Examiner has rejected applicant's claims 40, 22, 44, 50 and 51 under 35 USC § 102(b) as anticipated by the Takayama (US 5,260,774) patent. The Examiner has rejected applicant's claim 1 under 35 USC §103(a) as being unpatentable over the Takayama patent in view of the Saito, et al. (US 5,319,449) patent, in further view of the Sasakura (US 5,995,144) patent. Applicant's claim 45 (if dependent on claim 40) has been rejected under 35 USC §103(a) as being unpatentable over the Takayama patent in further view of the Saito, et al. patent. The Examiner has found that claims 41, 42, 43 (if dependent on claim 40) would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The Examiner has also allowed applicant's claims 4, 5, 39, 41-43 (if dependent on claim 4 or 39), 45 (if dependent on claim 39) and 46-49.

Applicant has cancelled applicant's claims 1, 40, 50 and 51, thereby obviating the Examiner's rejections with respect to these claims. Applicant has amended applicant's claim 41 to depend from allowed claims 4 and 39. Claim 41 is thus allowable. Likewise, applicant has amended applicant's claim 45 to depend from allowed claim 39, thereby rendering claim claim 45 allowable.

Applicant's newly added claim 56 recites a camera comprising: a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of

first object on the basis of white balance data obtained by picking up an image of second object; a focusing circuit arranged to perform a focusing operation; and a control circuit for controlling to pick up the image of the first object by operating said focusing circuit on the basis of a first operation, and for picking up the image of the second object by operating said focusing circuit on the basis of a second operation, different from said first operation; wherein said focusing circuit performs focusing operation on the basis of an image whose sharpness is higher than a plurality of images. Independent claims 63 and 66 recite similar features.

It is not believed that the Takayama patent or the other cited art teaches such a construction. In particular, these references do not teach or suggest a camera having such a control circuit wherein the focusing circuit performs focusing operation on the basis of an image whose sharpness is higher than a plurality of images.

Independent claims 56, 63 and 66, and their respective dependent claims, thus patentably distinguish over the Takayama patent and the other cited references.

Applicant's newly added claim 57 recites a camera comprising: a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of second object; a focusing circuit controls so that an image of object obtained by picking up changes from de-focus state to in-focus state; and a control circuit for controlling to pick up the image of the first object by operating said focusing circuit on the basis of a first operation, and for picking up the image of the second object by operating said focusing circuit on the basis of a second operation, different from said first operation. Independent claims 64 and 67 recite like features.

Neither the cited Takayama patent nor the other cited references teach or suggest such a construction. In particular, none of these references disclose a camera with a control circuit for the focusing circuit in which the focusing circuit controls so that an image of object obtained by picking up changes from de-focus state to in-focus state. Specifically, in the Takayama patent, in the second operation the focusing circuit changes to the de-focus state during white balancing.

Independent claims 57, 64 and 67, and their respective dependent claims, thus patentably distinguish over the Takayama patent and the other cited references.

Finally, applicant's independent claim 58 recites a camera comprising: a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of second object; a focusing circuit arranged to perform focusing operation by determination of sharpness of an image and a control circuit for controlling to pick up the image of the second object without performing determination of sharpness of said image of said second object after operation for picking up said image of said second object by a user. Independent claims 65 and 68 recite similar features.

The cited Takayama patent and the other cited references again do not teach or suggest such a construction. In particular, none of the references teaches or suggests a camera with a control circuit for controlling to pick up the image of the second object without performing determination of sharpness of said image of said second object after operation for picking up said image of said second object by a user.

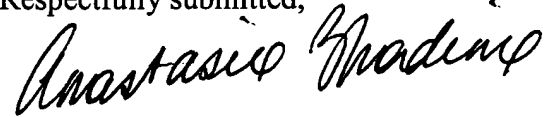
Independent claims 58, 65 and 68, and their respective dependent claims, thus patentably distinguish over the Takayama patent and the other cited references.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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COWAN, LIEBOWITZ & LATMAN, P. C.  
1133 Avenue of the Americas  
New York, New York 10036  
T (212) 790-9200

Respectfully submitted,

A handwritten signature in black ink, reading "Anastasia Zhadina". The signature is written in a cursive, flowing style.

Anastasia Zhadina  
Reg. No. 48,544  
Attorney of Record